

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 6/15/2023

PALISADES ESTATES EOM, LLC, NEWBURGH EOM LLC
d/b/a CROSSROADS HOTEL, RATAN NEWBURGH LLC d/b/a
RAMADA by WYNDHAM, SOUTH ROAD HOSPITALITY,
LLC, HUDSON CONFERENCE CENTER, LLC, ROUTE 9
HOTEL LLC, SAI RAM MANAGEMENT LLC, SANDIP
PATEL, and RAPID RELIABLE TESTING NY LLC,

Plaintiffs,

v.

COUNTY OF ROCKLAND, New York, EDWIN J. DAY, in his
official capacity as County Executive of Rockland County, TOWN
OF ORANGETOWN, New York, TERESA M. KENNY, in her
official capacity as Town Supervisor of the Town of Orangetown,
COUNTY OF ORANGE, New York, STEVEN M. NEUHAUS, in
his official capacity as County Executive of Orange County, TOWN
OF NEWBURGH, New York, GILBERT J. PIAQUADIO, in his
official capacity as Town Supervisor of the Town of Newburgh,
COUNTY OF DUTCHESS, New York, WILLIAM F.X. O'NEIL,
in his official capacity as County Executive of Dutchess County,
DUTCHESS COUNTY DEPARTMENT OF COMMUNITY AND
FAMILY SERVICES, SABRINA J. MARZOUKA, in her official
capacity as Commissioner of Dutchess County Department of
Family Services, TOWN OF POUGHKEEPSIE, COUNTY OF
RENSSELAER, New York, COUNTY OF HERKIMER, New
York, COUNTY OF ONEIDA, New York, COUNTY OF
BROOME, New York, COUNTY OF GENESEE, New York,
COUNTY OF ORLEANS, New York, COUNTY OF
SARATOGA, New York, COUNTY OF GREENE, New York,
COUNTY OF SULLIVAN, New York, COUNTY OF
ONONDAGA, New York, COUNTY OF ALLEGANY, New
York, CHAUTAUQUA COUNTY, New York, FULTON
COUNTY, New York, MADISON COUNTY, New York,
NIAGARA COUNTY, New York, OSWEGO COUNTY, New
York, OTSEGO COUNTY, New York, SCHOHARIE COUNTY,
New York, SCHUYLER COUNTY, New York, ST. LAWRENCE
COUNTY, New York, SUFFOLK COUNTY, New York, , TIOGA
COUNTY, New York, WYOMING COUNTY, New York, and
John Doe Counties and Municipalities 1-20,

Defendants.

**NOTICE OF MOTION
TO DISMISS**

**Civil Case No.
7:23-cv 04215**

MEMO ENDORSED

PLEASE TAKE NOTICE that a motion will be made to this Court, to be held at a date and time as ordered by the Court, before the Honorable Nelson Stephen Roman of the United States District Court for the Southern District of New York, The Hon. Charles L. Briant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, NY 10601-4150, for an Order granting the motion to dismiss for the County of Allegany, and any and all "John Does" intended to serve as placeholders for Allegany County legislators, executives, officers, employees, and any and all agents operating under the authority of Allegany County.

DATED: Buffalo, New York
June 14, 2023

COLUCCI & GALLAHER, P.C.

By: /s/ Paul Joyce
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The Court dismisses, without prejudice, Defendant County of Allegany's motion to dismiss for failure to follow the Court's Individual Rules. The Court directs Defendant County of Allegany to Individual Rule 3(A) if it seeks leave to file a motion to dismiss. The Clerk of the Court is directed to terminate the motion at ECF No. 149.

Dated: June 15, 2023
White Plains, NY

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE